



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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RCRA CORRECTIVE ACTION PROGRAM

STATEMENT OF BASIS

July 2012

**BRC Rubber Group, Inc. Facility
Former DANA Victor Products Division Facility
589 US 33 South, Churubusco, Indiana 46723
U.S. EPA ID No. IND005081526**

I. INTRODUCTION

Under the Resource Conservation and Recovery Act (RCRA), all permitted and interim status hazardous waste treatment, storage, or disposal facilities are required to conduct corrective action for any releases of hazardous waste or hazardous constituents at or from their facilities.

On October 28, 1980, Dana Corporation, Victor Products Division (Dana), located at 589 US 33 South, Churubusco, Indiana, notified the United States Environmental Protection Agency (EPA) of their hazardous waste activity, thereby obtaining interim permit status for the storage of hazardous waste in containers (drums). The BRC Rubber Group, Inc. (BRC) purchased the facility in 1985, and have owned and operated the facility since then. On behalf of BRC, Dana closed the hazardous waste container storage area and certified closure in May of 1997.

This Statement of Basis is issued by the Indiana Department of Environmental Management (IDEM), regarding BRC Rubber Group, Inc. (Bluffton Rubber Company), 589 US 33 South, Churubusco, Whitley County, Indiana. IDEM has determined that no further RCRA corrective action is necessary for any of the identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) at this facility.

IDEM is issuing this Statement of Basis as part of its public participation responsibilities under RCRA Corrective Action Program guidance, and is using the administrative procedures found in Title 40 of the Code of Federal Regulations (CFR), Part 270 as adopted by reference, to provide public notice and solicit comment. The public notice period is hereby announced and will

continue for forty-five (45) days from the published date of the Public Notice in the Columbia City Post and Mail. If requested, a public hearing will be held to accept comments.

This Statement of Basis summarizes information found in greater detail in the work plans, reports, or other documents in this facility's administrative record. IDEM encourages the public to review these documents referenced below in Section V., in order to gain a more comprehensive understanding of the facility and the activities conducted under RCRA authority. IDEM may modify this corrective action determination or select another remedy based on public comments or new information obtained.

This determination will complete the corrective action process under the RCRA Corrective Action Program for this facility. The facility must continue to comply with all applicable parts of RCRA.

II. FACILITY BACKGROUND

Dana Corporation (Dana) operated its Victor Products Division facility in Churubusco, Indiana from 1964 to 1983, when operations ceased at the site. The facility was sold to Bluffton Rubber Company (BRC) who has owned and operated the facility since 1985. The site underwent an extensive remediation for polychlorinated biphenyls (PCBs) from 1986 to 1988. Dana removed over 12,032 tons of contaminated soil from the property in a voluntary cleanup action with IDEM oversight. Completion of that cleanup is recorded in the OH Materials "Record of Completed Activities in Remediation of the Bluffton Rubber Company Facility and the Town of Churubusco, Indiana Treatment Works," dated April 5, 1988. IDEM confirmation of PCB completion is found in an April 16, 1991 sworn affidavit from Kevin Hogan, State PCB Coordinator, and from an IDEM memorandum from Jane Twaddle dated April 18, 1988.

BRC Rubber Group, Inc., Chaffee Rentals, LLP and Dana Corporation entered into an Agreed Order with IDEM in March of 2003, (Cause number H-13840), to further investigate and remediate any remaining contamination at the facility. Additional soil and ground water samples were taken in all areas suspected of potential contamination. Based on the analytical results of those samples, additional remediation was conducted both on-site and off-site to remove additional contaminated soils and drainage ditch sediments. Confirmation sampling analytical results after the completion of the remediation work revealed all constituents to be below acceptable levels. IDEM is proposing to close out the Agreed Order on Cause Number H-13840.

III. SUMMARY OF THE CORRECTIVE ACTION DETERMINATION

Based on the administrative record, IDEM is proposing no further action for all of the identified SWMUs and AOCs. IDEM is proposing that a Corrective Action Complete With Controls determination be issued for the BRC Rubber Group, Inc. facility. "With Controls", implies that the use of the property will be restricted to industrial use only, and that the use of the ground water at this facility is prohibited. An environmental restrictive covenant has been recorded on the deed to the facility to inform all future land owners of the enforceable restrictions on the use of this property.

IV. PUBLIC PARTICIPATION

The public is encouraged to review and submit written comments on this proposed determination, particularly if you are aware of spills and/or releases that have occurred at this facility in the past. If a public hearing is requested, IDEM will hold a public hearing in Churubusco, Indiana, to discuss any remedial actions the public proposes. IDEM will publish a newspaper notice of the hearing thirty (30) days in advance.

The Public Notice and the administrative record are available for review at the IDEM's Virtual File Cabinet, which is found at <http://www.in.gov/idem/6551.htm>. VFC document numbers are provided in Section V. REFERENCES (below).

After considering any comments received, IDEM will summarize the comments and its responses to the comments, and specify its decision in a Final Decision/Response to Comments document. This document will be incorporated into the administrative record. To send written comments or obtain further information, contact:

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V. REFERENCES

The following documents in IDEM's virtual file cabinet contain information on this facilities operation, and the investigation and remediation activities conducted.

<u>Document #</u>	<u>Document Date</u>	<u>Program</u>	<u>Document Type</u>
34539270	11/23/1976	HW	OLQ Corrective Action Order
34554233	05/27/1986	HW	OLQ Corrective Action Order
34539642	10/17/1986	HW	OLQ Corrective Action Order
34555298	10/17/1986	HW	OLQ Corrective Action Order
34539636	06/26/1987	HW	Technical Review
34539266	06/26/1987	HW	OLQ Corrective Action Order
48283680	07/29/1987	HW	OLQ Corrective Action Order
48283679	08/12/1987	HW	OLQ Corrective Action Order
48283678	08/12/1987	HW	OLQ Corrective Action Order
42565574	08/18/1987	HW	OLQ Corrective Action Order
43510450	08/24/1987	HW	OLQ Corrective Action Order
48283677	08/27/1987	HW	OLQ Corrective Action Order
42565543	09/09/1987	HW	OLQ Corrective Action Order
34539200	09/18/1987	HW	OLQ Corrective Action Order
42565416	10/05/1987	HW	OLQ Corrective Action Order
42565412	11/09/1987	HW	OLQ Corrective Action Order
42562640	02/25/1988	HW	OLQ Corrective Action Order
34533878	04/08/1988	HW	OLQ Corrective Action Order
34533852	04/29/1988	HW	Technical Review
43510451	05/13/1988	HW	OLQ Corrective Action Order
34530913	05/13/1988	HW	OLQ Corrective Action Order
34555299	05/25/1988	HW	OLQ Corrective Action Order
29809911	06/23/1989	HW	OLQ Permit
34530884	06/15/1990	HW	OLQ Field Inspections
34539267	04/16/1991	HW	OLQ Corrective Action Order
34530313	06/06/1991	HW	OLQ Corrective Action Order
34530309	10/25/1991	HW	OLQ Corrective Action Order
34529990	10/25/1991	HW	OLQ Corrective Action Order
34554195	03/02/1992	HW	OLQ Corrective Action Order
34530315	03/02/1992	HW	OLQ Corrective Action Order
34533844	03/02/1992	HW	OLQ Corrective Action Order

34531401	06/19/1992	HW	OLQ Corrective Action Order
34557009	07/17/1992	HW	Enforcement
64873993	07/17/1992	HW	OLQ Corrective Action Order
34530872	04/12/1993	HW	OLQ Corrective Action Order
34530804	12/01/1994	HW	OLQ Corrective Action Order
34531053	11/21/1995	HW	OLQ Corrective Action Order
34530259	03/07/1996	HW	OLQ Corrective Action Order
34557403	10/07/1996	HW	OLQ Corrective Action Order
34557394	10/07/1996	HW	OLQ Corrective Action Order
62957455	10/08/1996	HW	OLQ Correspondence
64703180	02/03/1997	HW	OLQ Corrective Action Order
48283681	02/06/1997	HW	OLQ Corrective Action Order
34531254	03/24/1997	HW	OLQ Correspondence
35076629	02/06/1998	HW	OLQ Monitoring
29657113	03/02/1998	HW	OLQ Corrective Action Order
29657087	03/02/1998	HW	OLQ Corrective Action Order
29657091	04/14/1998	HW	OLQ Corrective Action Order
34532622	06/01/1998	HW	OLQ Corrective Action Order
34539545	06/11/1998	HW	OLQ Corrective Action Order
35077187	07/01/1998	HW	OLQ Monitoring
29656937	10/06/1998	HW	OLQ Corrective Action Order
29656942	02/05/1999	HW	OLQ Corrective Action Order
34533687	03/04/1999	HW	OLQ Corrective Action Order
34533392	03/25/1999	HW	OLQ Corrective Action Order
34539403	04/21/1999	HW	Enforcement
64873955	04/21/1999	HW	OLQ Corrective Action Order
34531320	01/01/2000	HW	OLQ Corrective Action Order
34530261	02/22/2000	HW	OLQ Corrective Action Order
34540471	02/22/2000	HW	Technical Review
34530165	04/01/2000	HW	OLQ Corrective Action Order
31508669	04/14/2000	HW	OLQ Corrective Action Order
31520740	05/16/2000	HW	OLQ Corrective Action Order
45326834	06/12/2000	HW	Drawing
45326797	06/12/2000	HW	Drawing
35076309	06/12/2000	HW	OLQ Corrective Action Order
31508994	06/20/2000	HW	OLQ Corrective Action Order

31520721	08/11/2000	HW	OLQ Corrective Action Order
35076933	08/25/2000	HW	OLQ Corrective Action Order
48283676	08/25/2000	HW	OLQ Corrective Action Order
35076796	08/25/2000	HW	OLQ Corrective Action Order
45328104	08/25/2000	HW	Drawing
34530553	09/01/2000	HW	OLQ Corrective Action Order
34531112	09/15/2000	HW	OLQ Corrective Action Order
34555295	09/15/2000	HW	Technical Review
34554209	12/05/2000	HW	OLQ Corrective Action Order
34554227	12/05/2000	HW	OLQ Corrective Action Order
34554221	12/05/2000	HW	OLQ Corrective Action Order
34554204	12/05/2000	HW	OLQ Corrective Action Order
31523397	12/22/2000	HW	OLQ Corrective Action Order
31509173	12/22/2000	HW	OLQ Corrective Action Order
31518185	12/22/2000	HW	OLQ Corrective Action Order
31520719	12/22/2000	HW	OLQ Corrective Action Order
34556154	01/09/2001	HW	Technical Review
34531103	01/09/2001	HW	Technical Review
34556148	01/24/2001	HW	Technical Review
64873778	01/29/2001	HW	OLQ Corrective Action Order
34556145	01/29/2001	HW	Technical Review
48283684	02/19/2001	HW	Technical Review
34530147	03/01/2001	HW	OLQ Permit
34533853	03/30/2001	HW	OLQ Corrective Action Order
34554414	03/30/2001	HW	OLQ Corrective Action Order
34530334	03/30/2001	HW	OLQ Corrective Action Order
34539640	03/30/2001	HW	OLQ Corrective Action Order
34556153	04/01/2001	HW	Drawing
34531115	04/01/2001	HW	Map
34537390	04/24/2001	HW	Map
34533691	04/25/2001	HW	OLQ Corrective Action Order
34540125	04/26/2001	HW	OLQ Corrective Action Order
34539399	04/26/2001	HW	OLQ Corrective Action Order
34554193	04/26/2001	HW	OLQ Corrective Action Order
34556152	04/26/2001	HW	OLQ Corrective Action Order
34540122	04/26/2001	HW	OLQ Corrective Action Order

34533879	04/26/2001	HW	OLQ Corrective Action Order
34539643	04/26/2001	HW	Technical Review
34537391	04/26/2001	HW	OLQ Corrective Action Order
64874017	04/29/2001	HW	OLQ Corrective Action Order
34554413	05/01/2001	HW	Technical Review
34540119	05/25/2001	HW	OLQ Corrective Action Order
34540418	05/30/2001	HW	OLQ Corrective Action Order
31520718	06/21/2001	HW	OLQ Corrective Action Order
48283581	06/21/2001	HW	OLQ Corrective Action Order
31509124	06/21/2001	HW	OLQ Corrective Action Order
31520714	08/15/2001	HW	OLQ Corrective Action Order
43510631	08/16/2001	HW	OLQ Corrective Action Order
34554365	08/16/2001	HW	OLQ Corrective Action Order
34530838	08/20/2001	HW	OLQ Corrective Action Order
34539405	08/22/2001	HW	OLQ Corrective Action Order
48283675	08/30/2001	HW	OLQ Corrective Action Order
31520700	08/30/2001	HW	OLQ Corrective Action Order
31520693	09/13/2001	HW	OLQ Corrective Action Order
48283674	09/13/2001	HW	OLQ Corrective Action Order
43510539	09/13/2001	HW	OLQ Corrective Action Order
34532440	09/21/2001	HW	OLQ Corrective Action Order
34539484	10/17/2001	HW	OLQ Corrective Action Order
48283673	10/17/2001	HW	OLQ Corrective Action Order
48283583	10/17/2001	HW	OLQ Corrective Action Order
34527770	04/15/2002	HW	OLQ Corrective Action Order
48283671	06/26/2002	HW	OLQ Corrective Action Order
43511044	07/29/2002	HW	OLQ Corrective Action Order
43510983	08/15/2002	HW	OLQ Corrective Action Order
43510902	08/21/2002	HW	OLQ Corrective Action Order
43510841	08/22/2002	HW	OLQ Corrective Action Order
31509000	09/01/2002	HW	OLQ Corrective Action Order
43510810	09/11/2002	HW	OLQ Corrective Action Order
48283582	09/11/2002	HW	OLQ Corrective Action Order
43510809	09/16/2002	HW	OLQ Corrective Action Order
43510805	10/07/2002	HW	OLQ Corrective Action Order
43510504	11/07/2002	HW	OLQ Corrective Action Order

31520739	11/12/2002	HW	OLQ Corrective Action Order
43510472	11/12/2002	HW	OLQ Corrective Action Order
31520737	12/03/2002	HW	OLQ Corrective Action Order
31520436	01/02/2003	HW	OLQ Corrective Action Order
31520735	01/02/2003	HW	OLQ Corrective Action Order
31517362	01/02/2003	HW	OLQ Corrective Action Order
41416414	01/02/2003	HW	Map
45323157	01/02/2003	HW	Drawing
35086173	01/02/2003	HW	OLQ Corrective Action Order
31518083	01/13/2003	HW	OLQ Corrective Action Order
44562822	02/01/2003	HW	Map
44562923	02/01/2003	HW	Map
31552607	02/01/2003	HW	OLQ Corrective Action Order
34539573	02/01/2003	HW	OLQ Corrective Action Order
31520692	02/09/2003	HW	OLQ Corrective Action Order
43510784	02/13/2003	HW	OLQ Corrective Action Order
41427230	02/13/2003	HW	Map
41427008	02/13/2003	HW	Map
34533042	03/24/2003	HW	OLQ Corrective Action Order
43510493	04/08/2003	HW	OLQ Corrective Action Order
31520723	04/08/2003	HW	OLQ Corrective Action Order
31520434	08/08/2003	HW	OLQ Corrective Action Order
62318306	08/21/2003	HW	OLQ Corrective Action Order
34530424	08/21/2003	HW	OLQ Corrective Action Order
62388448	08/21/2003	HW	OLQ Corrective Action Order
62318305	08/21/2003	HW	OLQ Corrective Action Order
34530398	08/28/2003	HW	OLQ Corrective Action Order
31507971	08/28/2003	HW	OLQ Corrective Action Order
31520433	09/15/2003	HW	OLQ Corrective Action Order
31507966	09/18/2003	HW	OLQ Corrective Action Order
34530402	09/24/2003	HW	OLQ Corrective Action Order
31507964	09/24/2003	HW	OLQ Corrective Action Order
31520432	10/08/2003	HW	OLQ Corrective Action Order
31519909	11/06/2003	HW	OLQ Corrective Action Order
34530377	01/06/2004	HW	OLQ Corrective Action Order
31507962	01/06/2004	HW	OLQ Corrective Action Order

41420775	01/30/2004	HW	Drawing
31520378	01/30/2004	HW	OLQ Corrective Action Order
34533207	05/10/2004	HW	OLQ Corrective Action Order
34530394	06/16/2004	HW	OLQ Corrective Action Order
31508998	06/16/2004	HW	OLQ Corrective Action Order
42578205	07/19/2004	HW	Map
44554007	07/19/2004	HW	Map
44553996	07/19/2004	HW	Map
42578102	07/19/2004	HW	Map
31521366	07/19/2004	HW	OLQ Corrective Action Order
34538134	07/19/2004	HW	OLQ Corrective Action Order
31520743	08/10/2004	HW	OLQ Corrective Action Order
34530396	08/11/2004	HW	OLQ Corrective Action Order
31508996	08/11/2004	HW	OLQ Corrective Action Order
34537627	09/27/2004	HW	OLQ Corrective Action Order
31520741	11/05/2004	HW	OLQ Corrective Action Order
47663690	02/01/2005	HW	Map
31769022	02/01/2005	HW	Map
47663711	02/01/2005	HW	Map
35338231	02/01/2005	HW	OLQ Corrective Action Order
34531695	02/01/2005	HW	OLQ Corrective Action Order
31804487	02/01/2005	HW	Map
31804839	02/01/2005	HW	Map
47663689	02/01/2005	HW	Map
47663733	02/01/2005	HW	Map
47663722	02/01/2005	HW	Map
31768996	02/01/2005	HW	Map
29771415	02/01/2005	HW	OLQ Corrective Action Order
31804738	02/01/2005	HW	Map
44557483	02/09/2005	HW	Map
44557633	02/09/2005	HW	Map
44557417	02/09/2005	HW	Map
34538550	02/09/2005	HW	OLQ Corrective Action Order
44557997	02/09/2005	HW	Map
48283670	02/09/2005	HW	OLQ Corrective Action Order
34533209	02/09/2005	HW	OLQ Corrective Action Order

44557707	02/09/2005	HW	Map
53565405	03/22/2005	HW	Technical Review
53565344	03/22/2005	HW	Technical Review
53565408	03/22/2005	HW	Technical Review
53565410	05/18/2005	HW	Technical Review
53565406	05/27/2005	HW	Technical Review
48283669	06/30/2005	HW	OLQ Corrective Action Order
16544216	07/01/2005	HW	OLQ Corrective Action Order
34533390	07/01/2005	HW	OLQ Corrective Action Order
31953602	07/21/2005	HW	OLQ Corrective Action Order
34530454	07/21/2005	HW	OLQ Corrective Action Order
53565407	08/05/2005	HW	Technical Review
65129121	09/06/2005	HW	OLQ Permit
62318329	09/09/2005	HW	OLQ Corrective Action Order
34530508	09/30/2005	HW	OLQ Corrective Action Order
53565409	11/10/2005	HW	Technical Review
34530527	12/01/2005	HW	OLQ Corrective Action Order
34530113	07/02/2008	HW	OLQ Corrective Action Order
34539638	07/02/2008	HW	OLQ Corrective Action Order
34556708	07/02/2008	HW	OLQ Corrective Action Order
34530906	07/02/2008	HW	OLQ Corrective Action Order
34539465	07/02/2008	HW	Technical Review
34539500	09/25/2008	HW	OLQ Corrective Action Order
34539464	09/25/2008	HW	OLQ Corrective Action Order
40714414	12/12/2008	HW	OLQ Authorization
43510449	02/16/2009	HW	OLQ Corrective Action Order